

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

WILLIAM EDWARD FERGUSON

V.

U.S. BANK TRUST NATIONAL
ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY, BUT
SOLELY AS TRUSTEE OF THE
TRUMAN 2021 SC9 TITLE TRUST

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CIVIL ACTION NO. 4:23CV122
JUDGE MAZZANT/JUDGE JOHNSON

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 21, 2024, the Magistrate Judge entered a Report and Recommendation (Dkt. #43) that Defendant U.S. Bank Trust National Association's, not in its Individual Capacity, but Solely as Trustee of the Tuman 2021 SC9 Title Trust, Motion for Summary Judgment (Dkt. #24) be granted.

Having received the report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED** that the Motion for Summary Judgment (Dkt. #24) is **GRANTED** and Plaintiff William Edward Ferguson's claim for suit to quiet title is **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that U.S. Bank is authorized to foreclose its lien on the property that secured the note indebtedness, to wit:

Lot 21 in Block D, Whiffletree No. X, an addition to the City of Plano, Collin County, Texas, according to the map or plat thereof recorded in Volume J, Page 699 of the Map and/or Plat Records of Collin County, Texas

and which has the address of 4104 Forbes Dr., Plano, Texas 75093-6609, pursuant to the Note and Security Instrument and the Texas Property Code § 51.002.

IT IS SO ORDERED.

SIGNED this 25th day of March, 2024.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE